



1fw

PATENT

Attorney Docket No. A-70631-7/DJB/DJM/DSS
Dorsey File No. 469201-00157

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CRANDALL *et al.*

Serial No.: 10/758,361

Filing Date: January 14, 2004

For: *Use of Aromatic Aldehydes as
Insecticides*

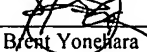
Examiner: Not Yet Assigned

Art Unit: 1616

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Dated: June 17, 2004

Signed: 
Brent Yonekura

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1273 Off. Gaz. Pat. Off. 1, 8/5/2003, no copies of U.S. patents and U.S. published applications are enclosed.

Further, this application is a continuation of the following related U.S. Application – Serial No. 09/431,542, filed October 29, 1999 (pending). Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying substitute

Serial No.: 10/758,361
Filing Date: January 14, 2004

for form PTO-1449. Since these references were previously disclosed in the above-mentioned application, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

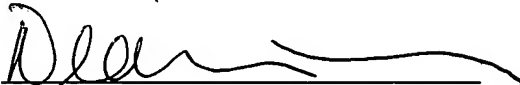
While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 469201-00157 (A-70631-7/DJB/DJM/DSS)).

Serial No.: 10/758,361
Filing Date: January 14, 2004

If there are any questions with regard to the foregoing, please call applicant's attorney at
415-781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: June 17, 2004
Customer Number: 32940
Dorsey & Whitney LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

By: 
Diane J. Mason, Reg. No. 43,777 for
David J. Brezner, Reg. No. 24,774

Attachments: PTO/SB-8A/B, Substitute for form PTO-1449
Return Postcard

Substitute for form 1449A/PTO
(Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/758,361
Filing Date	January 14, 2004
First Named Inventor	CRANDALL, Jr., Bradford G.
Art Unit	1616
Examiner Name	To Be Assigned
Attorney Docket Number	A-70631-7/DJB/DJM/DSS (469201-00157)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	2,465,854	03-29-1949	Dorman et al.	
	A2	3,236,869	02-22-1966	Thompson	
	A3	4,402,950	09-06-1983	Wolf et al.	
	A4	4,477,361	10-16-1984	Sperti et al.	
	A5	4,525,480	06-25-1985	Berke et al.	
	A6	4,808,574	02-28-1989	Brekman et al.	
	A7	4,193,984	03-18-1990	Kydonieus	
	A8	4,978,686	12-18-1990	Sotome	
	A9	5,653,991	08-05-1991	Rod	
	A10	5,166,317	11-24-1992	Wallace et al.	
	A11	5,202,247	04-13-1993	Kilburn et al.	
	A12	5,340,731	08-23-1994	Kilburn et al.	
	A13	5,536,501	07-16-1996	Emerson et al.	
	A14	5,639,794	06-17-1997	Emerson et al.	
	A15	5,676,958	10-14-1997	Emerson et al.	
	A16	5,693,344	12-02-1997	Knight et al.	
	A17	5,843,375	12-01-1998	Emerson et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	DE 3 605 753	08-27-1987	Karyannis, George		
	B2	FR 2 529 755 A	01-13-1984	Sotome, Kiyoshi		
	B3	GB 0 504 125 A	05-18-1939	I.G. Farbenindustrie Aktiengesellschaft		
	B4	GB 2 209 943 A	06-01-1989	National Research Development Corp.		
	B5	JP 1-261303 A	10-18-1989	Taiyo Koryo KK		
	B6	JP 3-081202 A	04-05-1991	Dainippon Jochugiku Co. Ltd.		
	B7	JP 3-268901 A2	11-29-1991	Sanyo-Kokusaku Pulp Co., Ltd.		
	B8	JP 4-149103 A	05-22-1992	Taisho Pharmaceutical Co. Ltd.		
	B9	JP 4-176460 A	06-24-1992	Tanaka, Tomoji		
	B10	JP 5-117125 A	05-14-1993	Dainichiseika Color & Chem. Manufacturing Co. Ltd.		

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2

<p>Substitute for form 1449A/PTO (Modified)</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>			Complete if Known		
			Application Number	10/758,361	
			Filing Date	January 14, 2004	
			First Named Inventor	CRANDALL, Jr., Bradford G.	
			Art Unit	1616	
			Examiner Name	To Be Assigned	
Sheet	2	of	3	Attorney Docket Number	A-70631-7/DJB/DJM/DSS (469201-00157)

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B11	JP 5-139924 A	08-06-1993	Itouen KK		
	B12	JP 6-183925 A	07-05-1994	Tashiro, Eiichi		
	B13	JP 6-329514 A	11-29-1994	Takeda Chemical Industries Ltd.		
	B14	JP 50-024436 A	03-15-1975	Ogawa & Co. Ltd.		
	B15	JP 57-120501 A	07-27-1982	Sotome, Kiyoshi		
	B16	JP 59-222402 A	12-14-1984	Otsuka Kagu Kogyo KK		
	B17	JP 63-255203	10-21-1988	Sotome, Kiyoshi		
	B18	SE 8900902	05-13-1989	Thorsell, Walborg		
	B19	SU 950289 B	08-25-1982	Le Mezhotraslevoj nii Pishchev		
	B20	WO 94/24158 A1	10-27-1994	The Regents of the University of California		
	B21	WO 94/27434 A1	12-08-1994	White Knight Escosafe Insecticide Co.		
	B22	WO 97/35476 A2	10-02-1997	ProGuard, Inc.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C1	ANON., "Antimicrobial Test of Avion-M," <i>Matsumoto Microbiology Laboratory</i> , Material No. 57-07, Matsumoto Microbiology Laboratory: Matsumoto, JP (Feb. 1982).	
	C2	BOWLES, B., et al., "Antibotulinal properties of selected aromatic and aliphatic aldehydes," <i>J. Food Prot.</i> 56(9):788-794 (Sep. 1993).	
	C3	BUDAVARI, S., et al., "8778: Storax," <i>The Merck Index</i> , 11 th ed., S. Budavari (eds.), p. 1389, Merck Co. & Co.: Whitehouse Station, NJ (1989).	
	C4	CASEY, J., et al., "Microbial routes to aromatic aldehydes," <i>Enzyme Microb. Technol.</i> 14(9):739-747 (Sep. 1992).	
	C5	COWLES, R.S., et al., "Cinnamyl derivatives and monoterpenoids as nonspecific ovipositional deterrents of the onion fly," <i>J. Chem. Ecol.</i> 16(8):2401-2421 (1990).	
	C6	FREAR, D., <i>Chemistry of Insecticides and Fungicides</i> , 3 rd ed., 13:184-191, D. Van Nostrand Co.: New York, NY (1942).	
	C7	HEBERT, C.D., et al., "Comparison of the toxicity of cinnamaldehyde when administered by microencapsulation in feed or by corn oil gavage," <i>Food Chem. Toxicol.</i> 32(12):1107-1115 (1994).	
	C8	KING, W.V., <i>Chemicals Evaluated as Insecticides and Repellents at Orlando, Fla.</i> , Agriculture Handbook No. 69, U.S. Department of Agriculture: Washington, DC (May 1954).	
	C9	LAMPMAN, R., et al., "Multicomponent kairomonal lures for southern and western corn rootworms (Coleoptera: Chrysomelidae: <i>Diabrotica</i> spp.)," <i>J. Econ. Entomol.</i> 80(6):1137-1142 (1987).	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2.

<p>Substitute for form 1449A/PTO (Modified)</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>			Complete if Known		
			Application Number	10/758,361	
			Filing Date	January 14, 2004	
			First Named Inventor	CRANDALL, Jr., Bradford G.	
			Art Unit	1616	
			Examiner Name	To Be Assigned	
Sheet	3	of	3	Attorney Docket Number	A-70631-7/DJB/DJM/DSS (469201-00157)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	† ⁶
	C10	LAMPMAN, R., et al., "The comparative response of <i>Diabrotica</i> species (Coleoptera: Chrysomelidae) to volatile attractants," <i>Environ. Entomol.</i> 17(4):644-648 (1988).	
	C11	LEWIS, P., et al., "Kairomonal attractants for <i>Acalymma vittatum</i> (Coleoptera: Chrysomelidae)," <i>Environ. Entomol.</i> 19(1):8-14 (1990).	
	C12	METCALF, R.L. and METCALF, E.R., <i>Plant Kairomes in Insect Ecology and Control</i> , pp. 8, 83-84, 95-96, 157, Chapman & Hall: London, GB (1992).	
	C13	METCALF, R.L. and METCALF, R.A., <i>Destructive and Useful Insects: Their Habits and Controls</i> , 5 th ed., pp. 7.58-7.60, McGraw-Hill, Inc.: New York, NY (1993).	
	C14	METCALF, R.L., et al., "Cinnamyl alcohol and analogs as attractants for corn rootworms (Coleoptera: Chrysomelidae)," <i>J. Econ. Entomol.</i> 82(6):1620-1625 (Dec. 1989).	
	C15	METCALF, R.L., et al., "Estragole analogues as attractants for corn rootworms (Coleoptera: Chrysomelidae)," <i>J. Econ. Entomol.</i> 82(1):123-129 (1989).	
	C16	METCALF, R.L., et al., "Evolution of diabroticite rootworm beetle (Chrysomelidae) receptors for <i>Cucurbita</i> blossom volatiles," <i>Proc. Natl. Acad. Sci. USA</i> 88(5):1869-1872 (Mar. 1991).	
	C17	METCALF, R.L., et al., "The chemical ecology of Diabroticites and <i>Cucurbitaccae</i> ," <i>Experientia</i> 45:240-247 (1989).	
	C18	OTTOBONI, F., et al., "House dust mites prevention in Italy," <i>Bollet. Zool. Agraria Bachicolt.</i> 24(2):113-120 (1992).	
	C19	YUAN, J., et al., "Application of microencapsulation for toxicology studies. III. Bioavailability of microencapsulated cinnamaldehyde," <i>Fundam. Appl. Toxicol.</i> 20(1):83-87 (Jan. 1993).	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2